RECEIVED
CENTRAL FAX CENTER
FEB 1 7 2005

CROMPTON | SEAGER | TUFTE | LLC

Patent, Trademark & Copyright Attorneys

1221 Nicollet Avenue, Suite 800 Minneapolis, Minnesota 55403-2420 Phone 612.677.9050 Fax 612.359.9349

FAX TRANSMISSION

DATE: February 17, 2005

TO: Commissioner for Patents

FROM: David M. Crompton

Attn: Examiner K. Kianni

P.O. Box 1450

Alexandria, VA 22313-1450

OUR REF: 1018.1177101 TELEPHONE: 612-677-9050

Total pages, including cover letter: 10

PTO FAX NUMBER: 703-872-9306

If you do NOT receive all of the pages, please telephone us at (612) 677-9050, or fax us at (612) 359-9349.

Title of Document(s) Transmitted: AMENDMENT

Applicant: Shigeo Kittaka et al.

Serial No.: 10/623,448
Filed: July 18, 2003
Group Art Unit: 2883
Our Ref. No.: 1018.1177101
Confirmation No.: 4005
Customer No.: 28075

Please consider this a PETITION FOR A ONE-MONTH EXTENSION OF TIME to enter these papers. Please charge Deposit Account No. 50-0413 in the amount of \$120, Fee Code 1251 and \$400.00, Fee Code 1201. Please charge any additional fees or credit overpayment to Deposit

Account No. 50-0413.

Name: David M. Crompton

Reg. No. 36,772

I hereby certify that this paper is being transmitted by facsimile to the U.S. Patent and Trademark Office on the date shown below.

Kathlen L. Boekley

Date

PATENT

UNITED STATES PATENT AND TRADEMARK OFFICE

LA MINE AND A

In re:

Shigeo Kittaka et al.

Confirmation No.: 4005

Serial No.:

10/623,448

Examiner: Kaveh C. Kianni

Filing Date:

July 18, 2003

Group Art Unit: 2883

Docket No.:

1018.1177101

Customer No.: 28075

For:

DIFFRACTION DEVICE USING PHOTONIC CRYSTAL

Mail Stop Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

AMENDMENT

CERTIFICATE OF FACSIMILE TRANSMISSION UNDER 37 C.F.R. §1.8 (1(i)(B))

I hereby certify that this correspondence is being transmitted by facsimile to the United States Patent and Trademark Office at 703-872-9306 on the date shown below.

Kathleen L. Boekley

Type or print name of person signing certification

Kathleen & Brekley

February 17, 2005

Date

Dear Sir:

This paper is in response to the Office Action mailed October 20, 2005, with a shortened statutory period set to expire on January 20, 2005. As indicated on the Fax Transmittal Cover Sheet, Applicants petition herewith for a one-month extension of time, thus extending the period for response to February 20, 2005.

Please consider the following amendments and/or remarks:

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks/Arguments begin on page 9 of this paper.